

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED

DEC 30 2003

CLERK, U.S. DISTRICT COURT

By _____
Deputy

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**ROBERT N. GOLDSTEIN,
GOLDSTEIN/HABEEB
ENTERTAINMENT, INC., and
CHEATERS, LTD.,
Plaintiffs**

CAUSE NO. 3:03-CV-0266N

vs.

**TOMMY HABEEB,
Defendant.**

**DEFENDANT'S FIRST AMENDED ANSWER TO
PLAINTIFFS' FIRST AMENDED COMPLAINT**

COMES NOW, Tommy Habeeb ("Defendant"), files this his First Amended Answer in response to Plaintiffs' First Amended Complaint, in support of would respectfully show the Court the following:

I.

1. Defendant admits the allegations in Paragraph 1.01 of Plaintiffs' First Amended Complaint.
2. Defendant admits the allegations in paragraph 1.02 of Plaintiffs' First Amended Complaint.
3. Defendant admits the allegations in paragraph 2.01 of Plaintiffs' First Amended Complaint.
- 3 Defendant admits the allegations in paragraph 2.02 of Plaintiffs' First Amended Complaint.
4. Defendant admits the allegations in paragraph 2.03 of Plaintiffs' First Amended Complaint.
5. Defendant admits the allegations in paragraph 3.01 of Plaintiffs' First Amended Complaint.
6. Defendant denies the allegations in paragraph 3.02 of Plaintiffs' First Amended Complaint.
7. Defendant denies the allegations in paragraph 3.03 of Plaintiffs' First Amended Complaint.

8. Defendant admits the allegations in paragraph 3.04 of Plaintiffs' First Amended Complaint.

9. Defendant admits the allegations in paragraph 3.05 of Plaintiffs' First Amended Complaint.

10. Defendant lacks sufficient knowledge to admit or deny the allegations in paragraph 3.06.

11. Defendant denies the last sentence in paragraph 3.06 of Plaintiffs' First Amended Complaint.

12. Defendant lacks sufficient knowledge to admit or deny the allegations in paragraph 3.07 of Plaintiffs' First Amended Complaint.

13. Defendant admits that the names "Tommy Gunn" and "Tommy Grand" and the phrase "talk to me Gomez" were used in connection with the production of the television show "Cheaters" Defendant denies all other allegations contained in Paragraph 3.08 of Plaintiffs' Amended Complaint.

14. Defendant denies the allegation contained in Paragraph 3.09 of Plaintiffs' Amended Complaint.

15. Defendant admits that he was a shareholder in GHE as alleged in Paragraph 3.10 of Plaintiffs' Amended Complaint but denies that he was a "minority" shareholder all of that time.

16. Defendant lacks sufficient knowledge to admit or deny the remaining allegations in paragraph 3.10. of Plaintiffs' Amended Complaint.

17. Defendant admits that he served as the host of the shows as alleged but denies that he was paid or signed a waiver for all such shows, and therefore denies all of the other allegations of Paragraph 3.11 except that Defendant admits the last sentence contained in paragraph 3.11 of Plaintiffs' First Amended Complaint

18. Defendant denies the allegations in paragraph 3.12 of Plaintiffs' First Amended Complaint.

19. Defendant opposes the relief sought in paragraph 4.02 and 4.03 of Plaintiffs' First Amended

Complaint.

20. Defendant lacks sufficient knowledge to admit or deny the allegations in paragraph 5.02 of Plaintiffs' First Amended Complaint.

21. Defendant denies the allegations in paragraphs 5.03 and 5.04 of Plaintiffs' First Amended Complaint.

22. Plaintiff admits that he published such statement but denies all other allegations contained in Paragraphs 6.02 of Plaintiffs' First Amended Complaint.

23. Defendant denies the allegations in paragraph 7.02 of Plaintiffs' First Amended Complaint.

24. Defendant denies the allegations in paragraph 7.03 of Plaintiffs' First Amended Complaint.

25. Defendant opposes the relief requested in paragraph 8.02 of Plaintiffs' First Amended Complaint.

26. Defendant admits that he is owed money as set forth in paragraph 9.01 but denies all other allegations contained therein.

27. Defendant denies the allegations in paragraph 9.02 of Plaintiffs' First Amended Complaint.

28. Defendant denies the allegations in paragraph 9.03 of Plaintiffs' First Amended Complaint.

29. Defendant opposes the remedy requested in paragraph 9.04 of Plaintiffs' First Amended Complaint.

30. Defendant lacks sufficient knowledge to admit or deny the allegations in paragraph 9.04 of Plaintiffs' First Amended Complaint.

31. Defendant denies all further allegations in Plaintiffs' First Amended Complaint and opposes any and all relief sought by Plaintiff in the remaining paragraphs of the Complaint.

Respectfully submitted,

BERGMAN & BIRD, L.L.P.

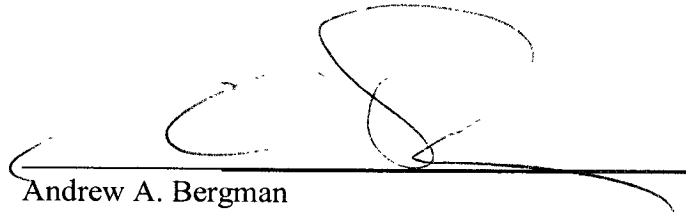


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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I, Andrew A. Bergman, do hereby certify that a true and correct copy of the foregoing document has been served on the following via the method indicated on this the 21st day of December 2003.



Andrew A. Bergman

Timothy W. Sorenson *Via Facsimile (214) 698-5999*
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